

Representative Francis D. Gibson proposes the following substitute bill:

UTAH INLAND PORT AUTHORITY

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jerry W. Stevenson

House Sponsor: Francis D. Gibson

LONG TITLE

General Description:

This bill enacts and modifies provisions related to the Utah Inland Port Authority.

Highlighted Provisions:

This bill:

- ▶ creates the Utah Inland Port Authority;
- ▶ establishes the duties, responsibilities, and powers of the Utah Inland Port Authority;
- ▶ establishes a board to govern the port authority and provides for the board membership, terms, and responsibilities, and provides limits on board members;
- ▶ requires the port authority board to hire an executive director, and provides limits on the executive director;
- ▶ defines land that is under the jurisdiction of the port authority;
- ▶ authorizes the port authority to work to establish an inland port and a foreign trade zone;
- ▶ authorizes the port authority to adopt a project area plan and budget and to issue bonds;
- ▶ authorizes the port authority to receive tax differential funds;
- ▶ requires the port authority to prepare and adopt a budget and provides a process for



26 preparing, adopting, and amending a budget; and

27 ▶ requires the port authority to comply with certain audit and reporting requirements.

28 **Money Appropriated in this Bill:**

29 None

30 **Other Special Clauses:**

31 This bill provides a special effective date.

32 **Utah Code Sections Affected:**

33 ENACTS:

34 **11-58-101**, Utah Code Annotated 1953

35 **11-58-102**, Utah Code Annotated 1953

36 **11-58-201**, Utah Code Annotated 1953

37 **11-58-202**, Utah Code Annotated 1953

38 **11-58-203**, Utah Code Annotated 1953

39 **11-58-204**, Utah Code Annotated 1953

40 **11-58-205**, Utah Code Annotated 1953

41 **11-58-206**, Utah Code Annotated 1953

42 **11-58-207**, Utah Code Annotated 1953

43 **11-58-301**, Utah Code Annotated 1953

44 **11-58-302**, Utah Code Annotated 1953

45 **11-58-303**, Utah Code Annotated 1953

46 **11-58-304**, Utah Code Annotated 1953

47 **11-58-305**, Utah Code Annotated 1953

48 **11-58-401**, Utah Code Annotated 1953

49 **11-58-402**, Utah Code Annotated 1953

50 **11-58-403**, Utah Code Annotated 1953

51 **11-58-404**, Utah Code Annotated 1953

52 **11-58-501**, Utah Code Annotated 1953

53 **11-58-502**, Utah Code Annotated 1953

54 **11-58-503**, Utah Code Annotated 1953

55 **11-58-504**, Utah Code Annotated 1953

56 **11-58-505**, Utah Code Annotated 1953

- 57 [11-58-601](#), Utah Code Annotated 1953
- 58 [11-58-602](#), Utah Code Annotated 1953
- 59 [11-58-701](#), Utah Code Annotated 1953
- 60 [11-58-702](#), Utah Code Annotated 1953
- 61 [11-58-703](#), Utah Code Annotated 1953
- 62 [11-58-704](#), Utah Code Annotated 1953
- 63 [11-58-705](#), Utah Code Annotated 1953
- 64 [11-58-706](#), Utah Code Annotated 1953
- 65 [11-58-801](#), Utah Code Annotated 1953
- 66 [11-58-802](#), Utah Code Annotated 1953
- 67 [11-58-803](#), Utah Code Annotated 1953
- 68 [11-58-804](#), Utah Code Annotated 1953
- 69 [11-58-805](#), Utah Code Annotated 1953
- 70 [11-58-806](#), Utah Code Annotated 1953
- 71 [11-58-901](#), Utah Code Annotated 1953

72

73 *Be it enacted by the Legislature of the state of Utah:*

74 Section 1. Section **11-58-101** is enacted to read:

75 **CHAPTER 58. UTAH INLAND PORT AUTHORITY ACT**

76 **Part 1. General Provisions**

77 **11-58-101. Title.**

78 This chapter is known as the "Utah Inland Port Authority Act."

79 Section 2. Section **11-58-102** is enacted to read:

80 **11-58-102. Definitions.**

81 As used in this chapter:

82 (1) "Authority" means the Utah Inland Port Authority, created in Section [11-58-201](#).

83 (2) "Authority jurisdictional land":

84 (a) means:

85 (i) land north of I-80 in Salt Lake City that has:

86 (A) a northern boundary defined by the northern boundary of Salt Lake City;

87 (B) an eastern boundary defined by I-215;

88 (C) a southern boundary defined by I-80; and

89 (D) a western boundary defined by the western boundary of Salt Lake City's Northwest
90 Quadrant Master Plan Area as of January 1, 2018; and

91 (ii) land south of I-80 that has:

92 (A) a northern boundary defined by I-80;

93 (B) an eastern boundary that begins at the intersection of I-80 and Bangerter Highway
94 and follows Bangerter Highway south to SR 201 and turns west to follow SR 201 to 5600 West
95 and turns south to follow 5600 West to the Riter Canal;

96 (C) a southern boundary that begins at the intersection of 5600 West and the Riter
97 Canal and follows the Riter Canal west to 7600 South and turns south along 7600 South to the
98 northern boundary of developed property and turns west to run along the northern edge of
99 developed property, jutting north to follow the northern boundary of developed properties
100 straddling 8000 West, and continuing west along the northern boundary of developed
101 properties to the western edge of developed property and turns north to SR 201 and turns east
102 along SR 201 to the eastern edge of the tailings property; and

103 (D) a western boundary defined by the eastern edge of the tailings property; and

104 (b) excludes:

105 (i) the Salt Lake City airport; and

106 (ii) an area north of I-80 in Salt Lake City and west of the Salt Lake City airport,
107 commonly known as the International Center, that has:

108 (A) a northern boundary defined by the north boundary of properties on the north side
109 of and fronting Harold Gatty Drive;

110 (B) an eastern boundary defined by the eastern boundary of Salt Lake City's Northwest
111 Quadrant Master Plan Area as of January 1, 2018;

112 (C) a southern boundary defined by I-80; and

113 (D) a western boundary defined by a north-south line that aligns with John Glenn
114 Road.

115 (3) "Base taxable value" means the taxable value of property within any portion of a
116 project area, as designated by board resolution, from which the property tax differential will be
117 collected, as shown upon the assessment roll last equalized before the year in which the
118 authority adopts a project area plan for that area.

- 119 (4) "Board" means the authority's governing body, created in Section 11-58-301.
- 120 (5) "Business plan" means a plan designed to facilitate, encourage, and bring about
121 development of the authority jurisdictional land to achieve the goals and objectives described
122 in Subsection 11-58-203(1), including the development and establishment of an inland port.
- 123 (6) "Development" means:
- 124 (a) the demolition, construction, reconstruction, modification, expansion, or
125 improvement of a building, utility, infrastructure, landscape, parking lot, park, trail,
126 recreational amenity, or other facility, including publicly owned infrastructure and
127 improvements; and
- 128 (b) the planning of, arranging for, or participation in any of the activities listed in
129 Subsection (6)(a).
- 130 (7) "Development project" means a project for the development of land within a
131 project area.
- 132 (8) "Inland port" means one or more sites that:
- 133 (a) contain multimodal transportation assets and the ability to allow global trade to be
134 processed and altered by value-added services as goods move through the supply chain; and
135 (b) may include a satellite customs clearance terminal, an intermodal distribution
136 facility, a customs pre-clearance for international trade, or other facilities that facilitate,
137 encourage, and enhance regional, national, and international trade.
- 138 (9) "Project area" means the authority jurisdictional land, whether consisting of a single
139 contiguous area or multiple noncontiguous areas, described in a project area plan or draft
140 project area plan, where the development project set forth in the project area plan or draft
141 project area plan takes place or is proposed to take place.
- 142 (10) "Project area budget" means a multiyear projection of annual or cumulative
143 revenues and expenses and other fiscal matters pertaining to a project area.
- 144 (11) "Project area plan" means a written plan that, after its effective date, guides and
145 controls the development within a project area.
- 146 (12) "Property tax" includes a privilege tax and each levy on an ad valorem basis on
147 tangible or intangible personal or real property.
- 148 (13) "Property tax differential" means the difference between:
- 149 (a) the amount of property tax revenues generated each tax year by all taxing entities

150 from a project area, using the current assessed value of the property; and

151 (b) the amount of property tax revenues that would be generated from that same area
152 using the base taxable value of the property.

153 (14) "Public entity" means:

154 (a) the state, including each department, division, or other agency of the state; or

155 (b) a county, city, town, metro township, school district, local district, special service
156 district, interlocal cooperation entity, community reinvestment agency, or other political
157 subdivision of the state.

158 (15) "Publicly owned infrastructure and improvements":

159 (a) means infrastructure, improvements, facilities, or buildings that:

160 (i) benefit the public; and

161 (ii) (A) are owned by a public entity or a utility; or

162 (B) are publicly maintained or operated by a public entity.

163 (b) includes:

164 (i) facilities, lines, or systems that provide:

165 (A) water, chilled water, or steam; or

166 (B) sewer, storm drainage, natural gas, electricity, or telecommunications service; and

167 (ii) streets, roads, curb, gutter, sidewalk, walkways, solid waste facilities, parking
168 facilities, and public transportation facilities.

169 (16) "Taxable value" means the value of property as shown on the last equalized
170 assessment roll as certified by the county assessor.

171 (17) "Taxing entity" means a public entity that levies a tax on property within a project
172 area.

173 Section 3. Section **11-58-201** is enacted to read:

174 **Part 2. Utah Inland Port Authority**

175 **11-58-201. Creation of Utah Inland Port Authority -- Status and purposes.**

176 (1) Under the authority of Article XI, Section 8 of the Utah Constitution, there is
177 created the Utah Inland Port Authority.

178 (2) The authority is:

179 (a) an independent, nonprofit, separate body corporate and politic, with perpetual
180 succession;

181 (b) a political subdivision of the state; and
182 (c) a public corporation, as defined in Section 63E-1-102.
183 (3) (a) The purpose of the authority is to fulfill the statewide public purpose of working
184 in concert with applicable state and local government entities, property owners and other
185 private parties, and other stakeholders to encourage and facilitate development of the authority
186 jurisdictional land to maximize the long-term economic and other benefit for the state,
187 consistent with the strategies, policies, and objectives described in this chapter, including:
188 (i) the development of inland port uses on the authority jurisdictional land;
189 (ii) the development of infrastructure to support inland port uses and associated uses on
190 the authority jurisdictional land; and
191 (iii) other development on the authority jurisdictional land.
192 (b) The duties and responsibilities of the authority under this chapter are beyond the
193 scope and capacity of a municipality, which has many other responsibilities and functions that
194 appropriately command the attention and resources of the municipality, and are not municipal
195 functions of purely local concern but are matters of regional and statewide concern,
196 importance, interest, and impact, due to multiple factors, including:
197 (i) the strategic location of the authority jurisdictional land in proximity to significant
198 existing and potential transportation infrastructure, including infrastructure provided and
199 maintained by the state, conducive to facilitating regional, national, and international trade and
200 the businesses and facilities that promote and complement that trade;
201 (ii) the enormous potential for regional and statewide economic and other benefit that
202 can come from the appropriate development of the authority jurisdictional land, including the
203 establishment of a thriving inland port;
204 (iii) the regional and statewide impact that the development of the authority
205 jurisdictional land will have; and
206 (iv) the considerable investment the state is making in connection with the
207 development of the new correctional facility and associated infrastructure located on the
208 authority jurisdictional land.
209 (c) The authority is the mechanism the state chooses to focus resources and efforts on
210 behalf of the state to ensure that the regional and statewide interests, concerns, and purposes
211 described in this Subsection (3) are properly addressed from more of a statewide perspective

212 than any municipality can provide.

213 Section 4. Section **11-58-202** is enacted to read:

214 **11-58-202. Authority powers and duties.**

215 (1) The authority has exclusive jurisdiction, responsibility, and power to coordinate the
216 efforts of all applicable state and local government entities, property owners and other private
217 parties, and other stakeholders to:

218 (a) develop and implement a business plan for the authority jurisdictional land;

219 (b) plan and facilitate the development of inland port uses on authority jurisdictional
220 land;

221 (c) manage any inland port located on land owned or leased by the authority; and

222 (d) establish a foreign trade zone, as provided under federal law, covering some or all
223 of the authority jurisdictional land.

224 (2) The authority may:

225 (a) facilitate and bring about the development of inland port uses on land that is part of
226 the authority jurisdictional land, including engaging in marketing and business recruitment
227 activities and efforts to encourage and facilitate:

228 (i) the development of an inland port on the authority jurisdictional land; and

229 (ii) other development of the authority jurisdictional land consistent with the strategies,
230 policies, and objectives described in Subsection [11-58-203\(1\)](#);

231 (b) facilitate and provide funding for the development of the authority jurisdictional
232 land, including the development of publicly owned infrastructure and improvements and other
233 infrastructure and improvements on or related to the authority jurisdictional land;

234 (c) engage in marketing and business recruitment activities and efforts to encourage
235 and facilitate development of the authority jurisdictional land;

236 (d) apply for and take all other necessary actions for the establishment of a foreign
237 trade zone, as provided under federal law, covering some or all of the authority jurisdictional
238 land;

239 (e) as the authority considers necessary or advisable to carry out any of its duties or
240 responsibilities under this chapter:

241 (i) buy, obtain an option upon, or otherwise acquire any interest in real or personal
242 property;

243 (ii) sell, convey, grant, dispose of by gift, or otherwise dispose of any interest in real or
244 personal property; or

245 (iii) enter into a lease agreement on real or personal property, either as lessee or lessor;

246 (f) sue and be sued;

247 (g) enter into contracts generally;

248 (h) provide funding for the development of publicly owned infrastructure and
249 improvements or other infrastructure and improvements on or related to the authority
250 jurisdictional land;

251 (i) exercise powers and perform functions under a contract, as authorized in the
252 contract;

253 (j) receive the property tax differential, as provided in this chapter;

254 (k) accept financial or other assistance from any public or private source for the
255 authority's activities, powers, and duties, and expend any funds so received for any of the
256 purposes of this chapter;

257 (l) borrow money, contract with, or accept financial or other assistance from the federal
258 government, a public entity, or any other source for any of the purposes of this chapter and
259 comply with any conditions of the loan, contract, or assistance;

260 (m) issue bonds to finance the undertaking of any development objectives of the
261 authority, including bonds under Title 11, Chapter 17, Utah Industrial Facilities and
262 Development Act, and bonds under Title 11, Chapter 42, Assessment Area Act;

263 (n) hire employees, including contract employees;

264 (o) transact other business and exercise all other powers provided for in this chapter;

265 (p) engage one or more consultants to advise or assist the authority in the performance
266 of the authority's duties and responsibilities; and

267 (q) exercise powers and perform functions that the authority is authorized by statute to
268 exercise or perform.

269 Section 5. Section **11-58-203** is enacted to read:

270 **11-58-203. Strategies, policies, and objectives to be pursued by the authority.**

271 In fulfilling its duties and responsibilities relating to the development of the authority
272 jurisdictional land, the authority shall:

273 (1) pursue development strategies, policies, and objectives designed to:

- 274 (a) maximize long-term economic benefits to the area, the region, and the state;
- 275 (b) maximize the creation of high-quality jobs;
- 276 (c) respect and maintain sensitivity to the unique natural environment of areas in
- 277 proximity to the authority jurisdictional land;
- 278 (d) improve air quality and minimize resource use;
- 279 (e) respect existing land use and other agreements and arrangements between property
- 280 owners within the authority jurisdictional land and applicable governmental authorities;
- 281 (f) promote and encourage development and uses that are compatible with or
- 282 complement uses in areas in proximity to the authority jurisdictional land; and
- 283 (g) take advantage of the authority jurisdictional land's strategic location and other
- 284 features, including the proximity to transportation and other infrastructure and facilities, that
- 285 make the authority jurisdictional land attractive to:
- 286 (i) businesses that engage in regional, national, or international trade; and
- 287 (ii) businesses that complement businesses engaged in regional, national, or
- 288 international trade; and
- 289 (2) work to identify funding sources, including federal, state, and local government
- 290 funding and private funding, for capital improvement projects in and around the authority
- 291 jurisdictional land and for an inland port;
- 292 (3) review and identify land use and zoning policies and practices to recommend to
- 293 municipal land use policymakers and administrators that are consistent with and will help to
- 294 achieve:
- 295 (a) the strategies, policies, and objectives stated in Subsection (1); and
- 296 (b) the mutual goals of the state and local governments that have authority
- 297 jurisdictional land with their boundaries with respect to the authority jurisdictional land; and
- 298 (4) consult and coordinate with other applicable governmental entities to improve and
- 299 enhance transportation and other infrastructure and facilities in order to maximize the potential
- 300 of the authority jurisdictional land to attract, retain, and service users who will help maximize
- 301 the long-term economic benefit to the state.

302 Section 6. Section **11-58-204** is enacted to read:

303 **11-58-204. Existing development line.**

- 304 (1) As used in this section, "development line" means a line:

305 (a) dividing authority jurisdictional land areas for which development is permitted
306 from authority jurisdictional land areas that are protected from development; and

307 (b) that has been established by municipal ordinance, policy, master plan, agreement,
308 or other means before March 1, 2018.

309 (2) The authority shall:

310 (a) acknowledge and respect any development line involving authority jurisdictional
311 land; and

312 (b) incorporate any development line into a business plan or development plan that the
313 authority adopts or pursues.

314 Section 7. Section **11-58-205** is enacted to read:

315 **11-58-205. Applicability of other law.**

316 (1) Except as provided in Part 4, Appeals to Appeals Panel, the authority does not have
317 and may not exercise any powers relating to the regulation of land uses on the authority
318 jurisdictional land.

319 (2) The authority is subject to and governed by Sections [63E-2-106](#), [63E-2-107](#),
320 [63E-2-108](#), [63E-2-109](#), [63E-2-110](#), and [63E-2-111](#), but is not otherwise subject to or governed
321 by Title 63E, Independent Entities Code.

322 (3) A department, division, or other agency of the state and a political subdivision of
323 the state shall cooperate with the authority to the fullest extent possible to provide whatever
324 support, information, or other assistance the board requests that is reasonably necessary to help
325 the authority fulfill its duties and responsibilities under this chapter.

326 (4) In making decisions affecting the authority jurisdictional land, the legislative body
327 of a municipality in which the authority jurisdictional land is located shall consider input from
328 the authority board.

329 (5) The transporting, unloading, loading, transfer, or temporary storage of natural
330 resources may not be prohibited on the authority jurisdictional land.

331 Section 8. Section **11-58-206** is enacted to read:

332 **11-58-206. Authority funds.**

333 The authority may use authority funds for any purpose authorized under this chapter,
334 including:

335 (1) promoting, facilitating, and advancing inland port uses; and

336 (2) paying any consulting fees and staff salaries and other administrative, overhead,
337 legal, and operating expenses of the authority.

338 Section 9. Section **11-58-207** is enacted to read:

339 **11-58-207. Projects benefitting authority jurisdictional land.**

340 To foster economic development within and enhance the uses of the authority
341 jurisdictional land:

342 (1) the Department of Transportation shall fund, from money designated in the
343 Transportation Investment Fund for that purpose, the completion of 2550 South from 5600
344 West to 8000 West, with matching funds from the county in which the road is located; and

345 (2) the county in which the proposed connection is located shall study a connection of
346 7200 West between SR 201 and I-80.

347 Section 10. Section **11-58-301** is enacted to read:

348 **Part 3. Authority Board**

349 **11-58-301. Authority board -- Delegation of power.**

350 (1) The authority shall be governed by a board which shall manage and conduct the
351 business and affairs of the authority and shall determine all questions of authority policy.

352 (2) All powers of the authority are exercised through the board.

353 (3) The board may by resolution delegate powers to authority staff.

354 Section 11. Section **11-58-302** is enacted to read:

355 **11-58-302. Number of board members -- Appointment.**

356 (1) The authority's board shall consist of 11 members, as provided in Subsection (2).

357 (2) (a) The governor shall appoint two board members, one of whom shall be an
358 employee or officer of the Governor's Office of Economic Development, created in Section
359 [63N-1-201](#).

360 (b) The president of the Senate shall appoint one board member.

361 (c) The speaker of the House of Representatives shall appoint one board member.

362 (d) The Salt Lake County mayor shall appoint one board member.

363 (e) The chair of the Permanent Community Impact Fund Board, created in Section
364 [35A-8-304](#), shall appoint one board member from among the members of the Permanent
365 Community Impact Fund Board.

366 (f) The chair of the Salt Lake Airport Advisory Board, or the chair's designee, shall

367 serve as a board member.

368 (g) The member of the Salt Lake City council who is elected by district and whose
369 district includes authority jurisdictional land shall serve as a board member.

370 (h) The city manager of West Valley City, with the consent of the city council of West
371 Valley City, shall appoint one board member.

372 (i) The executive director of the Department of Transportation, appointed under
373 Section 72-1-202, shall serve as a board member.

374 (j) The director of the Salt Lake County office of Regional Economic Development
375 shall serve as a board member.

376 (3) An individual required under Subsection (2) to appoint a board member shall
377 appoint each initial board member the individual is required to appoint no later than June 1,
378 2018.

379 (4) (a) A vacancy in the board shall be filled in the same manner under this section as
380 the appointment of the member whose vacancy is being filled.

381 (b) A person appointed to fill a vacancy shall serve the remaining unexpired term of
382 the member whose vacancy the person is filling.

383 (5) A member of the board appointed by the governor, president of the Senate, or
384 speaker of the House of Representatives serves at the pleasure of and may be removed and
385 replaced at any time, with or without cause, by the governor, president of the Senate, or speaker
386 of the House of Representatives, respectively.

387 (6) The authority may:

388 (a) appoint nonvoting members of the board; and

389 (b) set terms for nonvoting members appointed under Subsection (6)(a).

390 Section 12. Section **11-58-303** is enacted to read:

391 **11-58-303. Term of board members -- Quorum -- Compensation.**

392 (1) The term of a board member appointed under Subsection 11-58-302(a), (b), (c), (d),
393 or (h) is four years, except that the initial term of one of the two members appointed under
394 Subsection 11-58-302(2)(a) and of the members appointed under Subsections 11-58-302(d) and
395 (h) is two years.

396 (2) Each board member shall serve until a successor is duly appointed and qualified.

397 (3) A board member may serve multiple terms if duly appointed to serve each term

398 under Subsection 11-58-302(2).

399 (4) A majority of board members constitutes a quorum, and the action of a majority of
400 a quorum constitutes action of the board.

401 (5) (a) A board member who is not a legislator may not receive compensation or
402 benefits for the member's service on the board, but may receive per diem and reimbursement
403 for travel expenses incurred as a board member as allowed in:

404 (i) Sections 63A-3-106 and 63A-3-107; and

405 (ii) rules made by the Division of Finance according to Sections 63A-3-106 and
406 63A-3-107.

407 (b) Compensation and expenses of a board member who is a legislator are governed by
408 Section 36-2-2 and Legislative Joint Rules, Title 5, Chapter 3, Legislative Compensation.

409 Section 13. Section 11-58-304 is enacted to read:

410 **11-58-304. Limitations on board members and executive director.**

411 (1) As used in this section:

412 (a) "Direct financial benefit":

413 (i) means any form of financial benefit that accrues to an individual directly as a result
414 of the development of the authority jurisdictional land, including:

415 (A) compensation, commission, or any other form of a payment or increase of money;

416 and

417 (B) an increase in the value of a business or property; and

418 (ii) does not include a financial benefit that accrues to the public generally as a result of
419 the development of the authority jurisdictional state land.

420 (b) "Family member" means a parent, spouse, sibling, child, or grandchild.

421 (2) An individual may not serve as a member of the board or as executive director if:

422 (a) the individual owns real property, other than a personal residence in which the
423 individual resides, on or within five miles of the authority jurisdictional land, whether or not
424 the ownership interest is a recorded interest;

425 (b) a family member of the individual owns an interest in real property, other than a
426 personal residence in which the family member resides, located on or within one-half mile of
427 the authority jurisdictional land; or

428 (c) the individual or a family member of the individual owns an interest in, is directly

429 affiliated with, or is an employee or officer of a firm, company, or other entity that the
430 individual reasonably believes is likely to:

431 (i) participate in or receive compensation or other direct financial benefit from the
432 development of the authority jurisdictional land; or

433 (ii) acquire an interest in or locate a facility on the authority jurisdictional land.

434 (3) Before taking office as a board member or accepting employment as executive
435 director, an individual shall submit to the authority a statement verifying that the individual's
436 service as a board member or employment as executive director does not violate Subsection
437 (2).

438 (4) An individual may not, at any time during the individual's service as a board
439 member or employment as executive director, take any action to initiate, negotiate, or
440 otherwise arrange for the acquisition of an interest in real property located on or within five
441 miles of the authority jurisdictional state land.

442 Section 14. Section **11-58-305** is enacted to read:

443 **11-58-305. Executive director.**

444 (1) On or before November 1, 2018, the board shall hire a full-time executive director
445 to manage and oversee the day-to-day operations of the authority and to perform other
446 functions, as directed by the board.

447 (2) The executive director shall have the education, experience, and training necessary
448 to perform the executive director's duties in a way that maximizes the potential for successfully
449 achieving and implementing the strategies, policies, and objectives stated in Subsection
450 [11-58-203\(1\)\(a\)](#).

451 (3) An executive director is an at-will employee who serves at the pleasure of the board
452 and may be removed by the board at any time.

453 (4) The board shall establish the duties, compensation, and benefits of an executive
454 director.

455 Section 15. Section **11-58-401** is enacted to read:

456 **Part 4. Appeals to Appeals Panel**

457 **11-58-401. Definitions.**

458 As used in this part:

459 (1) "Adversely affected person" means an owner of land within the authority

460 jurisdictional land who has been adversely affected by a land use decision.

461 (2) "Appeals panel" means the panel established under Section 11-58-402 to hear and
462 decide appeals under this part.

463 (3) "Land use decision" means the same as that term is defined in Section 10-9a-103.

464 Section 16. Section **11-58-402** is enacted to read:

465 **11-58-402. Appeals panel.**

466 (1) The board shall establish an appeals panel to hear and decide appeals under this
467 part.

468 (2) The appeals panel consists of:

469 (a) the board; or

470 (b) one or more individuals designated by the board.

471 Section 17. Section **11-58-403** is enacted to read:

472 **11-58-403. Appeals process.**

473 (1) An adversely affected person may appeal a land use decision to the appeals panel.

474 (2) (a) Notwithstanding the provisions of Title 10, Chapter 9a, Municipal Land Use,
475 Development, and Management Act, an appeal under Subsection (1) is the exclusive appeal of
476 a land use decision available to an adversely affected person.

477 (b) An appeal of a land use decision under this section may not be considered unless it
478 is submitted to the appeals panel in writing within 10 calendar days after the date of the land
479 use decision being appealed.

480 (3) In deciding an appeal of a land use decision, an appeals panel may hold an informal
481 hearing to receive information and hear arguments from the parties.

482 (4) An appeals panel shall decide and issue a written decision on an appeal of a land
483 use decision within 21 days after the appeal is filed.

484 (5) (a) A person aggrieved by an appeals panel decision may seek judicial review of the
485 decision in district court by filing a petition with the court within 30 days after the appeals
486 panel decision.

487 (b) The court shall uphold the appeals panel decision unless the court determines that
488 the decision is:

489 (i) arbitrary and capricious; or

490 (ii) illegal.

491 Section 18. Section **11-58-404** is enacted to read:

492 **11-58-404. Standards governing appeals.**

493 The appeals panel may decide an appeal in favor of the adversely affected person if the
494 appeals panel concludes that the land use decision that is the subject of the appeal:

495 (1) is detrimental to achieving or implementing the strategies, policies, and objectives
496 stated in Subsection [11-58-203\(1\)](#); or

497 (2) substantially impedes, interferes with, or impairs authority jurisdictional land
498 development that is consistent with the strategies, policies, and objectives stated in Subsection
499 [11-58-203\(1\)](#).

500 Section 19. Section **11-58-501** is enacted to read:

501 **Part 5. Project Area Plan**

502 **11-58-501. Preparation of project area plan -- Required contents of project area**
503 **plan.**

504 (1) (a) The board may adopt a project area plan as provided in this part.

505 (b) In order to adopt a project area plan, the board shall:

506 (i) prepare a draft project area plan;

507 (ii) give notice as required under Subsection [11-58-402\(2\)](#);

508 (iii) hold at least one public meeting, as required under Subsection [11-58-402\(1\)](#); and

509 (iv) after holding at least one public meeting and subject to Subsection (1)(c), adopt the
510 draft project area plan as the project area plan.

511 (c) Before adopting a draft project area plan as the project area plan, the board may
512 make modifications to the draft project area plan that the board considers necessary or
513 appropriate.

514 (2) Each project area plan and draft project area plan shall contain:

515 (a) a legal description of the boundary of the project area;

516 (b) the authority's purposes and intent with respect to the project area; and

517 (c) the board's findings and determination that:

518 (i) there is a need to effectuate a public purpose;

519 (ii) there is a public benefit to the proposed development project;

520 (iii) it is economically sound and feasible to adopt and carry out the project area plan;

521 and

522 (iv) carrying out the project area plan will promote the goals and objectives stated in
523 Subsection 11-58-203(1).

524 Section 20. Section 11-58-502 is enacted to read:

525 **11-58-502. Public meeting to consider and discuss draft project area plan -- Notice**
526 **-- Adoption of plan.**

527 (1) The board shall hold at least one public meeting to consider and discuss a draft
528 project area plan.

529 (2) At least 10 days before holding a public meeting under Subsection (1), the board
530 shall give notice of the public meeting:

531 (a) to each taxing entity;

532 (b) to a municipality in which the proposed project area is located or that is located
533 within one-half mile of the proposed project area; and

534 (c) on the Utah Public Notice Website created in Section 63F-1-701.

535 (3) Following consideration and discussion of the draft project area plan, and any
536 modification of the project area plan under Subsection 11-58-501(1)(c), the board may adopt
537 the draft project area plan or modified draft project area plan as the project area plan.

538 Section 21. Section 11-58-503 is enacted to read:

539 **11-58-503. Notice of project area plan adoption -- Effective date of plan --**
540 **Contesting the formation of the plan.**

541 (1) Upon the board's adoption of a project area plan, the board shall provide notice as
542 provided in Subsection (2) by publishing or causing to be published legal notice:

543 (a) in a newspaper of general circulation within or near the project area; and

544 (b) as required by Section 45-1-101.

545 (2) Each notice under Subsection (1) shall include:

546 (a) the board resolution adopting the project area plan or a summary of the resolution;
547 and

548 (b) a statement that the project area plan is available for general public inspection and
549 the hours for inspection.

550 (3) The project area plan shall become effective on the date of publication of the
551 notice.

552 (4) The authority shall make the adopted project area plan available to the general

553 public at its offices during normal business hours.

554 (5) Within 10 days after the day on which a project area plan is adopted that establishes
555 a project area, or after an amendment to a project area plan is adopted under which the
556 boundary of a project area is modified, the authority shall send notice of the establishment or
557 modification of the project area and an accurate map or plat of the project area to:

- 558 (a) the State Tax Commission;
- 559 (b) the Automated Geographic Reference Center created in Section 63F-1-506; and
- 560 (c) the assessor and recorder of each county where the project area is located.

561 Section 22. Section **11-58-504** is enacted to read:

562 **11-58-504. Amendment to a project area plan.**

563 (1) The authority may amend a project area plan by following the same procedure
564 under this part as applies to the adoption of a project area plan.

565 (2) The provisions of this part apply to the authority's adoption of an amendment to a
566 project area plan to the same extent as they apply to the adoption of a project area plan.

567 Section 23. Section **11-58-505** is enacted to read:

568 **11-58-505. Project area budget.**

569 (1) Before the authority may receive or use the property tax differential, the board shall
570 prepare and adopt a project area budget.

571 (2) A project area budget shall include:

- 572 (a) the base taxable value of property in the project area;
- 573 (b) the projected property tax differential expected to be generated within the project
574 area;
- 575 (c) the amount of the property tax differential expected to be shared with other taxing
576 entities;

577 (d) the amount of the property tax differential expected to be used to implement the
578 project area plan, including the estimated amount of the property tax differential to be used for
579 land acquisition, public improvements, infrastructure improvements, and loans, grants, or other
580 incentives to private and public entities;

581 (e) the property tax differential expected to be used to cover the cost of administering
582 the project area plan;

583 (f) if the property tax differential is to be collected at different times or from different

584 portions of the project area, or both:

585 (i) (A) the tax identification numbers of the parcels from which the property tax
586 differential will be collected; or

587 (B) a legal description of the portion of the project area from which the property tax
588 differential will be collected; and

589 (ii) an estimate of when other portions of the project area will become subject to
590 collection of the property tax differential; and

591 (g) for property that the authority owns or leases and expects to sell or sublease, the
592 expected total cost of the property to the authority and the expected selling price or lease
593 payments.

594 (3) The board may amend an adopted project area budget as and when the board
595 considers it appropriate.

596 (4) If a project area plan defines the project area as all the authority jurisdictional land,
597 the budget requirements of this part are met by the authority complying with the budget
598 requirements of Part 8, Authority Budget, Reporting, and Audits.

599 Section 24. Section 11-58-601 is enacted to read:

600 **Part 6. Property Tax Differential**

601 **11-58-601. Authority receipt and use of property tax differential -- Distribution of**
602 **property tax differential.**

603 (1) (a) The authority may:

604 (i) subject to Subsections (1)(b) and (c), receive up to 100% of the property tax
605 differential for up to 25 years, as determined by the board and as provided in this part; and

606 (ii) use the property tax differential during and after the period described in Subsection
607 (1)(a)(i).

608 (b) With respect to a parcel located within a project area, the 25-year period described
609 in Subsection (1)(a)(i) begins on the day on which the authority receives the first property tax
610 differential from that parcel.

611 (c) The authority may not receive property tax differential from an area included within
612 a community reinvestment project area, as defined in Section 17C-1-102, under a community
613 reinvestment project area plan, as defined in Section 17C-1-102, adopted before March 1, 2018
614 from a taxing entity that has, before March 1, 2018, entered into a fully executed, legally

615 binding agreement under which the taxing entity agrees to the use of its tax increment, as
616 defined in Section 17C-1-102, under the community reinvestment project area plan.

617 (2) Improvements on a parcel within a project area become subject to property tax on
618 January 1 immediately following the day on which the authority or an entity designated by the
619 authority issues a certificate of occupancy with respect to those improvements.

620 (3) A county that collects property tax on property within a project area shall pay and
621 distribute to the authority the property tax differential that the authority is entitled to collect
622 under this title, in the manner and at the time provided in Section 59-2-1365.

623 (4) (a) The board shall determine by resolution when the entire project area or an
624 individual parcel within a project area is subject to property tax differential.

625 (b) The board shall amend the project area budget to reflect whether a parcel within a
626 project area is subject to property tax differential.

627 Section 25. Section 11-58-602 is enacted to read:

628 **11-58-602. Allowable uses of property tax differential and other funds.**

629 (1) The authority may use the property tax differential, money the authority receives
630 from the state, authority services revenue, and other funds available to the authority:

631 (a) for any purpose authorized under this chapter;

632 (b) for administrative, overhead, legal, consulting, and other operating expenses of the
633 authority;

634 (c) to pay for, including financing or refinancing, all or part of the development of land
635 within the project area from which the property tax differential or other funds were collected,
636 including assisting the ongoing operation of a development or facility within the project area;

637 (d) to pay the cost of the installation and construction of publicly owned infrastructure
638 and improvements within the project area from which the property tax differential funds were
639 collected;

640 (e) to pay the cost of the installation of publicly owned infrastructure and
641 improvements outside the project area if the board determines by resolution that the
642 infrastructure and improvements are of benefit to the project area; and

643 (f) to pay the principal and interest on bonds issued by the authority.

644 (2) The authority may use revenue generated from the operation of publicly owned
645 infrastructure operated by the authority or improvements operated by the authority to:

646 (a) operate and maintain the infrastructure or improvements; and
647 (b) pay for authority operating expenses, including administrative, overhead, and legal
648 expenses.

649 (3) The determination of the board under Subsection (1)(e) regarding benefit to the
650 project area is final.

651 Section 26. Section 11-58-701 is enacted to read:

652 **Part 7. Authority Bonds**

653 **11-58-701. Resolution authorizing issuance of authority bonds -- Characteristics**
654 **of bonds.**

655 (1) The authority may not issue bonds under this part unless the board first adopts a
656 resolution authorizing their issuance.

657 (2) (a) As provided in the authority resolution authorizing the issuance of bonds under
658 this part or the trust indenture under which the bonds are issued, bonds issued under this part
659 may be issued in one or more series and may be sold at public or private sale and in the manner
660 provided in the resolution or indenture.

661 (b) Bonds issued under this part shall bear the date, be payable at the time, bear interest
662 at the rate, be in the denomination and in the form, carry the conversion or registration
663 privileges, have the rank or priority, be executed in the manner, be subject to the terms of
664 redemption or tender, with or without premium, be payable in the medium of payment and at
665 the place, and have other characteristics as provided in the authority resolution authorizing
666 their issuance or the trust indenture under which they are issued.

667 (3) Upon the board's adoption of a resolution providing for the issuance of bonds, the
668 board may provide for the publication of the resolution:

669 (a) in a newspaper having general circulation in the authority's boundaries; and

670 (b) as required in Section [45-1-101](#).

671 (4) In lieu of publishing the entire resolution, the board may publish notice of bonds
672 that contains the information described in Subsection [11-14-316\(2\)](#).

673 (5) For a period of 30 days after the publication, any person in interest may contest:

674 (a) the legality of the resolution or proceeding;

675 (b) any bonds that may be authorized by the resolution or proceeding; or

676 (c) any provisions made for the security and payment of the bonds.

677 (6) (a) A person may contest the matters set forth in Subsection (5) by filing a verified
678 written complaint, within 30 days of the publication under Subsection (5), in the district court
679 of the county in which the person resides.

680 (b) A person may not contest the matters set forth in Subsection (5), or the regularity,
681 formality, or legality of the resolution or proceeding, for any reason, after the 30-day period for
682 contesting provided in Subsection (6)(a).

683 Section 27. Section **11-58-702** is enacted to read:

684 **11-58-702. Sources from which bonds may be made payable -- Authority powers**
685 **regarding bonds.**

686 (1) The principal and interest on bonds issued by the authority may be made payable
687 from:

688 (a) the income and revenues of the projects financed with the proceeds of the bonds;

689 (b) the income and revenues of certain designated projects whether or not they were
690 financed in whole or in part with the proceeds of the bonds;

691 (c) the income, proceeds, revenues, property, and funds the authority derives from or
692 holds in connection with its undertaking and carrying out development of authority
693 jurisdictional land;

694 (d) property tax differential funds;

695 (e) authority revenues generally;

696 (f) a contribution, loan, grant, or other financial assistance from the federal government
697 or a public entity in aid of the development of military land; or

698 (g) funds derived from any combination of the methods listed in Subsections (1)(a)
699 through (f).

700 (2) In connection with the issuance of authority bonds, the authority may:

701 (a) pledge all or any part of its gross or net rents, fees, or revenues to which its right
702 then exists or may thereafter come into existence;

703 (b) encumber by mortgage, deed of trust, or otherwise all or any part of its real or
704 personal property, then owned or thereafter acquired; and

705 (c) make the covenants and take the action that may be necessary, convenient, or
706 desirable to secure its bonds, or, except as otherwise provided in this chapter, that will tend to
707 make the bonds more marketable, even though such covenants or actions are not specifically

708 enumerated in this chapter.

709 Section 28. Section **11-58-703** is enacted to read:

710 **11-58-703. Purchase of authority bonds.**

711 (1) Any person, firm, corporation, association, political subdivision of the state, or
712 other entity or public or private officer may purchase bonds issued by an authority under this
713 part with funds owned or controlled by the purchaser.

714 (2) Nothing in this section may be construed to relieve a purchaser of authority bonds
715 of any duty to exercise reasonable care in selecting securities.

716 Section 29. Section **11-58-704** is enacted to read:

717 **11-58-704. Those executing bonds not personally liable -- Limitation of**
718 **obligations under bonds -- Negotiability.**

719 (1) A member of the board or other person executing an authority bond is not liable
720 personally on the bond.

721 (2) (a) A bond issued by the authority is not a general obligation or liability of the state
722 or any of its political subdivisions and does not constitute a charge against their general credit
723 or taxing powers.

724 (b) A bond issued by the authority is not payable out of any funds or properties other
725 than those of the authority.

726 (c) The state and its political subdivisions are not and may not be held liable on a bond
727 issued by the authority.

728 (d) A bond issued by the authority does not constitute indebtedness within the meaning
729 of any constitutional or statutory debt limitation.

730 (3) A bond issued by the authority under this part is fully negotiable.

731 Section 30. Section **11-58-705** is enacted to read:

732 **11-58-705. Obligee rights -- Board may confer other rights.**

733 (1) In addition to all other rights that are conferred on an obligee of a bond issued by
734 the authority under this part and subject to contractual restrictions binding on the obligee, an
735 obligee may:

736 (a) by mandamus, suit, action, or other proceeding, compel an authority and its board,
737 officers, agents, or employees to perform every term, provision, and covenant contained in any
738 contract of the authority with or for the benefit of the obligee, and require the authority to carry

739 out the covenants and agreements of the authority and to fulfill all duties imposed on the
740 authority by this part; and

741 (b) by suit, action, or proceeding in equity, enjoin any acts or things that may be
742 unlawful or violate the rights of the obligee.

743 (2) (a) In a board resolution authorizing the issuance of bonds or in a trust indenture,
744 mortgage, lease, or other contract, the board may confer upon an obligee holding or
745 representing a specified amount in bonds, the rights described in Subsection (2)(b), to accrue
746 upon the happening of an event or default prescribed in the resolution, indenture, mortgage,
747 lease, or other contract, and to be exercised by suit, action, or proceeding in any court of
748 competent jurisdiction.

749 (b) (i) The rights that the board may confer under Subsection (2)(a) are the rights to:

750 (A) cause possession of all or part of a development project to be surrendered to an
751 obligee;

752 (B) obtain the appointment of a receiver of all or part of an authority's development
753 project and of the rents and profits from it; and

754 (C) require the authority and its board and employees to account as if the authority and
755 the board and employees were the trustees of an express trust.

756 (ii) If a receiver is appointed through the exercise of a right granted under Subsection
757 (2)(b)(i)(B), the receiver:

758 (A) may enter and take possession of the development project or any part of it, operate
759 and maintain it, and collect and receive all fees, rents, revenues, or other charges arising from it
760 after the receiver's appointment; and

761 (B) shall keep money collected as receiver for the authority in separate accounts and
762 apply it pursuant to the authority obligations as the court directs.

763 Section 31. Section **11-58-706** is enacted to read:

764 **11-58-706. Bonds exempt from taxes -- Authority may purchase its own bonds.**

765 (1) A bond issued by the authority under this part is issued for an essential public and
766 governmental purpose and is, together with interest on the bond and income from it, exempt
767 from all state taxes except the corporate franchise tax.

768 (2) The authority may purchase its own bonds at a price that its board determines.

769 (3) Nothing in this section may be construed to limit the right of an obligee to pursue a

770 remedy for the enforcement of a pledge or lien given under this part by the authority on its
771 rents, fees, grants, properties, or revenues.

772 Section 32. Section **11-58-801** is enacted to read:

773 **Part 8. Authority Budget, Reporting, and Audits**

774 **11-58-801. Annual authority budget -- Fiscal year -- Public hearing required --**
775 **Auditor forms -- Requirement to file form.**

776 (1) The authority shall prepare and its board adopt an annual budget of revenues and
777 expenditures for the authority for each fiscal year.

778 (2) Each annual authority budget shall be adopted before June 22.

779 (3) The authority's fiscal year shall be the period from July 1 to the following June 30.

780 (4) (a) Before adopting an annual budget, the board shall hold a public hearing on the
781 annual budget.

782 (b) The authority shall provide notice of the public hearing on the annual budget by
783 publishing notice:

784 (i) at least once in a newspaper of general circulation within the state, one week before
785 the public hearing; and

786 (ii) on the Utah Public Notice Website created in Section [63F-1-701](#), for at least one
787 week immediately before the public hearing.

788 (c) The authority shall make the annual budget available for public inspection at least
789 three days before the date of the public hearing.

790 (5) The state auditor shall prescribe the budget forms and the categories to be contained
791 in each authority budget, including:

792 (a) revenues and expenditures for the budget year;

793 (b) legal fees; and

794 (c) administrative costs, including rent, supplies, and other materials, and salaries of
795 authority personnel.

796 (6) (a) Within 30 days after adopting an annual budget, the board shall file a copy of
797 the annual budget with the auditor of each county in which the authority jurisdictional land is
798 located, the State Tax Commission, the state auditor, the State Board of Education, and each
799 taxing entity that levies a tax on property from which the authority collects property tax
800 differential.

801 (b) The requirement of Subsection (6)(a) to file a copy of the annual budget with the
802 state as a taxing entity is met if the authority files a copy with the State Tax Commission and
803 the state auditor.

804 Section 33. Section **11-58-802** is enacted to read:

805 **11-58-802. Amending the authority annual budget.**

806 (1) The board may by resolution amend an annual authority budget.

807 (2) An amendment of the annual authority budget that would increase the total
808 expenditures may be made only after public hearing by notice published as required for initial
809 adoption of the annual budget.

810 (3) The authority may not make expenditures in excess of the total expenditures
811 established in the annual budget as it is adopted or amended.

812 Section 34. Section **11-58-803** is enacted to read:

813 **11-58-803. Authority report.**

814 (1) (a) On or before November 1 of each year, the authority shall prepare and file a
815 report with the county auditor of each county in which the authority jurisdictional land is
816 located, the State Tax Commission, the State Board of Education, and each taxing entity that
817 levies a tax on property from which the authority collects property tax differential.

818 (b) The requirement of Subsection (1)(a) to file a copy of the report with the state as a
819 taxing entity is met if the authority files a copy with the State Tax Commission and the state
820 auditor.

821 (2) Each report under Subsection (1) shall contain:

822 (a) an estimate of the property tax differential to be paid to the authority for the
823 calendar year ending December 31; and

824 (b) an estimate of the property tax differential to be paid to the authority for the
825 calendar year beginning the next January 1.

826 (3) Before November 30 of each year, the board shall present a report to the Executive
827 Appropriations Committee of the Legislature, as the Executive Appropriations Committee
828 directs, that includes:

829 (a) an accounting of how authority funds have been spent; and

830 (b) an explanation of the authority's progress in achieving the policies and objectives
831 described in Subsection [11-58-203\(1\)\(a\)](#).

832 Section 35. Section **11-58-804** is enacted to read:

833 **11-58-804. Audit requirements.**

834 The authority shall comply with the audit requirements of Title 51, Chapter 2a,
835 Accounting Reports from Political Subdivisions, Interlocal Organizations, and Other Local
836 Entities Act.

837 Section 36. Section **11-58-805** is enacted to read:

838 **11-58-805. Audit report.**

839 (1) The authority shall, within 180 days after the end of the authority's fiscal year, file a
840 copy of the audit report with the county auditor, the State Tax Commission, the State Board of
841 Education, and each taxing entity that levies a tax on property from which the authority collects
842 property tax differential.

843 (2) Each audit report under Subsection (1) shall include:

844 (a) the property tax differential collected by the authority;

845 (b) the outstanding principal amount of bonds issued or other loans incurred to finance
846 the costs associated with the authority's projects; and

847 (c) the actual amount expended for:

848 (i) acquisition of property;

849 (ii) site improvements or site preparation costs;

850 (iii) installation of public utilities or other public improvements; and

851 (iv) administrative costs of the authority.

852 Section 37. Section **11-58-806** is enacted to read:

853 **11-58-806. Authority chief financial officer is a public treasurer -- Certain**
854 **authority funds are public funds.**

855 (1) The authority's chief financial officer:

856 (a) is a public treasurer, as defined in Section [51-7-3](#); and

857 (b) shall invest the authority funds specified in Subsection (2) as provided in that
858 subsection.

859 (2) Notwithstanding Subsection [63E-2-110\(2\)\(a\)](#), property tax differential funds,
860 authority services revenue, and appropriations that the authority receives from the state:

861 (a) are public funds; and

862 (b) shall be invested as provided in Title 51, Chapter 7, State Money Management Act.

863 Section 38. Section **11-58-901** is enacted to read:

864 **Part 9. Authority Dissolution**

865 **11-58-901. Dissolution of authority -- Restrictions -- Filing copy of ordinance --**

866 **Authority records -- Dissolution expenses.**

867 (1) The authority may not be dissolved unless the authority has no outstanding bonded
868 indebtedness, other unpaid loans, indebtedness, or advances, and no legally binding contractual
869 obligations with persons or entities other than the state.

870 (2) Upon the dissolution of the authority:

871 (a) the Governor's Office of Economic Development shall publish a notice of
872 dissolution:

873 (i) in a newspaper of general circulation in the county in which the dissolved authority
874 is located; and

875 (ii) as required in Section [45-1-101](#); and

876 (b) all title to property owned by the authority vests in the state.

877 (3) The books, documents, records, papers, and seal of each dissolved authority shall
878 be deposited for safekeeping and reference with the state auditor.

879 (4) The authority shall pay all expenses of the deactivation and dissolution.

880 Section 39. **Effective date.**

881 If approved by two-thirds of all the members elected to each house, this bill takes effect
882 upon approval by the governor, or the day following the constitutional time limit of Utah
883 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,
884 the date of veto override.